

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: David J. Bates  
Title: TIME RECORDING AND  
MANAGEMENT SYSTEM  
Appl. No.: 10/763,832  
Filing Date: 01/23/2003  
Examiner: Cheryl Lewis  
Art Unit: 2167

<b>CERTIFICATE OF FACSIMILE TRANSMISSION</b> I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.  <u>Todd A. Rathe</u> (Printed Name)  _____ (Signature)  _____ (Date of Deposit)
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**DECLARATION UNDER 37 C.F.R. § 1.131**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, David J. Bates, state and declare that:

1. I am the inventor of claims 1-23 of U.S. Patent Application No. 10/763,832 titled "TIME RECORDING AND MANAGEMENT SYSTEM" (hereinafter "the '832 application").
2. Prior to the July 26, 2002, the filing date of U.S. Patent Application Serial No. 10/205,204, I conceived and reduced to practice in the United States, the ideas set forth in the above-listed claims in the '832 application and described in the '832 application as evidenced by the attached Exhibit.
3. The attached entire Exhibit (including the sheets labeled "FIG. 3", "FIG. 6", "FIG 8", "FIG. 9", "EXHIBIT E", "EXHIBIT F", "EXHIBIT G", "EXHIBIT B", EXHIBIT C" AND EXHIBIT D") is an exact copy of the redacted screenshots included in US provisional application serial number 60/442,145, from which the present application claims priority. Each of the screenshots of the entire Exhibit was taken from a spreadsheet and associated macros, which were reduced to practice before July 26, 2002. The sheet labeled

"FIG. 3" indicates that the daily timesheet is for the fiscal year 2002, which in the particular circumstance ended on January 31, 2003. The sheet labeled "FIG. 8" further indicates reduction to practice and use of the illustrated spreadsheet and associated macros as early as February 2002. Note that time values were calculated for the entire month of February 2002. The sheet labeled "FIG. 9" further evidences use of the spreadsheet and macros as early as February 2002. The sheets labeled "EXHIBIT E", "EXHIBIT F", and "EXHIBIT G" (labels from the provisional application (60/442,145)) illustrate software code for the macros. This software code was used to generate the numerical values and other items shown in cells of the screen displays depicted in the above-described Figs. 3, 8 and 9. The sheets labeled "EXHIBIT B", "EXHIBIT C" and "EXHIBIT D" (labels from the provisional application (60/442,145)) illustrate formulas (including associated function calls and links) in the cells of the spreadsheet. These are the same formulas used to generate the numerical values and other items shown in the cells of the screen displays depicted in the above-described Figs. 3, 8 and 9.

4. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

Date February 1, 2007

By   
David J. Bates